



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hui Cai et al.

Serial No.: 10/656,059

Art Unit: 1614

Filed : September 5, 2003

Examiner:

For : HETEROCYCLIC COMPOUNDS

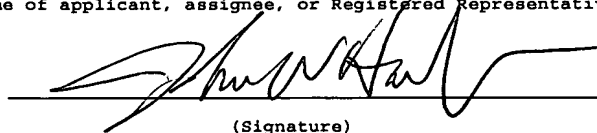
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 16, 2004

(Date of Deposit)

John W. Harbour

(Name of applicant, assignee, or Registered Representative)



(Signature)

April 16, 2004

(Date of Signature)

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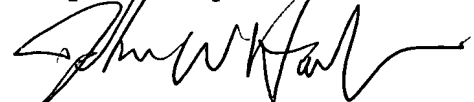
SUBMISSION OF REPLACEMENT DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Enclosed please find a replacement Declaration and Power of Attorney for the above identified application. This replacement Declaration and Power of Attorney is being submitted due to the addition of Jianmei Wei to the non-provisional patent application. A Request to Add Omitted Inventor was submitted on October 2, 2003

The Commissioner is hereby authorized to charge any fees which may be required to Account No. 10-0750/PRD0036/JWH. This sheet is submitted in triplicate.

Respectfully submitted,



John W. Harbour

Reg. No. 31,365

Attorney for Applicant(s)

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(732) 524-2169



Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
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|   |                          |                   |
|---|--------------------------|-------------------|
| <b>DECLARATION<br/>AND<br/>POWER OF ATTORNEY<br/>FOR UTILITY OR DESIGN<br/>PATENT APPLICATION<br/>(37 CFR 1.63)</b><br><br><input checked="" type="checkbox"/> Declaration Submitted with<br>Initial Filing <input type="checkbox"/> Declaration Submitted after<br>Initial Filing (Surcharge<br>(37 CFR 1.16(e)) required)      OR | Attorney Docket Number   | PRD 0036          |
|   | First Named Inventor     | Hui Cai           |
|   | <b>COMPLETE IF KNOWN</b> |                   |
|   | Application Number       | TO BE ASSIGNED    |
|   | Filing Date              | September 5, 2003 |
|   | Group Art Unit           | TO BE DETERMINED  |
|   | Examiner Name            | TO BE DETERMINED  |

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HETEROCYCLIC COMPOUNDS**  
(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)  as United States Application Number or PCT International Application Number  
 and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign<br>Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy<br>Attached?  |  |
|---|---------|-------------------------------------|--|--|--|
|   |         |                                     |  | YES  | NO   |
|   |         |                                     | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

### DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |  |
|-----------------------|--------------------------|--|
| 60/408,723            | 09/06/2002               | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|--------|
|                        |             |        |

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer  
Number Bar Code  
Label Here

AND

☐ Practitioner(s) named below:  
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to John Harbour at telephone number (732) 524-2169.

Direct all correspondence to: Customer Number  
☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country

Telephone:

Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Hui

Family Name  
or Surname Cai

Inventor's  
Signature

Date 09-11-2003

Residence: City San Diego

State CA

Country USA

Citizenship PR China

Mailing Address 11213 Corte Belleza

City San Diego

State CA

ZIP 92130

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Nicholas I.

Family Name  
or Surname Carruthers

Inventor's  
Signature

Date 9/11/03

Residence: City Poway

State CA

Country USA

Citizenship USA

Mailing Address 14370 Silver Heights Road

City Poway

State CA

ZIP 92064

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Curt A.

Family Name  
or Surname Dvorak

Inventor's  
Signature

Date 9/11/03

Residence: City San Diego

State CA

Country USA

Citizenship USA

Mailing Address 7657 Angeleno Road

City San Diego

State CA

ZIP 92126

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) James P.

Family Name  
or Surname Edwards

Inventor's  
Signature

*James P. Edwards*

Date

9/11/03

Residence: City San Diego

State CA

Country USA

Citizenship USA

Mailing Address 8723 Hesby Court

City San Diego

State CA

ZIP 92129

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Annette K.

Family Name  
or Surname Kwok

Inventor's  
Signature

Date

Residence: City Concord

State NH

Country USA

Citizenship USA

Mailing Address 10 Blanchard Street

City Concord

State NH

ZIP 03301

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Jianmei

Family Name  
or Surname Wei

Inventor's  
Signature

*Jianmei Wei*

Date

9/11/03

Residence: City San Diego

State CA

Country USA

Citizenship USA

Mailing Address 12516 Senda Panacea

City San Diego

State CA

ZIP 92129

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) James P.

Family Name  
or Surname Edwards

Inventor's  
Signature

Date

Residence: City San Diego

State CA

Country USA

Citizenship USA

Mailing Address 8723 Hesby Court

City San Diego

State CA

ZIP 92129

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Annette K.

Family Name  
or Surname Kwok

Inventor's  
Signature

Date

09/12/03

Residence: City Concord

State NH

Country USA

Citizenship USA

Mailing Address 10 Blanchard Street

City Concord

State NH

ZIP 03301

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any]) Jianmei

Family Name  
or Surname Wei

Inventor's  
Signature

Date

Residence: City San Diego

State CA

Country USA

Citizenship USA

Mailing Address 12516 Senda Panacea

City San Diego

State CA

ZIP 92129

Country USA